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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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ADVANCE MAGAZINE PUBLISHERS INC.  
d/b/a THE CONDÉ NAST PUBLICATIONS,

Plaintiff,

v.

ACTIV8NOW, LLC AND ACTIVE8MEDIA, LLC:

Defendants.

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Civil Action No.:  
1:05-cv-07516 (KMK)(DFE)

DECLARATION OF DALE  
LISCHER IN SUPPORT  
OF ADMISSIONS *PRO HAC VICE*

FILED ELECTRONICALLY

I, Dale Lischer, hereby declare under penalty of perjury:

1. I am attorney at Smith, Gambrell & Russell, LLP, Promenade II, Suite 3100, 1230 Peachtree Street, N.E., Atlanta, Georgia 30309. I submit this declaration in support of the motion of defendants for my admission *pro hac vice* to the bar of this Court in this action.

2. I received my Juris Doctor degree from University of Michigan.

3. I was admitted to the State Bar of Georgia in 1993, New York in 1973, and Illinois in 1977 and am currently a member in good standing in the bars of Georgia and Illinois. I am also admitted to, and a member in good standing with, the United States District Court for the Northern District of Georgia and the Court of Appeals for the Federal Circuit.

4. I do not currently have, nor have I ever had, any disciplinary proceedings or criminal charges instituted against me. Nor have I ever been denied admission to the bar of any court on moral or ethical grounds.

5. I have reviewed and familiarized myself with the Local Rules of the Southern District of New York, and this Court's Individual Practices, and will adhere to such rules as well as the ethical rules and canons governing attorney conduct in this Court.

I declare subject to the penalties of perjury as set forth in section 1746 of Title 28 of the United States Code that the foregoing is true and correct.

  
Dale Lischer